

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

JAMES E. SHELTON, individually and on behalf of all others similarly situated,

Plaintiff,
v.

DOT Compliance Services, LLC

and

Christian Perales
Defendants.

Case No.
2:24-CV-02140-WB

JURY TRIAL DEMANDED

**REQUEST FOR CLERK'S ENTRY OF DEFAULT AGAINST DEFENDANTS
DOT COMPLIANCE SERVICES, LLC AND CHRISTIAN PERALES**

COMES NOW Plaintiff James E. Shelton, by and through the undersigned counsel, pursuant to FED. R. CIV. P. 55(a), and hereby files this Motion for Clerk's Entry of Default against Defendants DOT Compliance Services, LLC and Christian Perales in the above-styled action. Plaintiff respectfully requests that the Clerk of Court enter default as the Defendants have failed to serve or file an answer to Plaintiff's claims in this action within the time permitted by law or otherwise.

Federal Rule of Civil Procedure 12(a), entitled "Time to Serve a Responsive Pleading," provides in pertinent part that "[a] defendant must serve an answer within 21 days after being served with the summons and complaint." FED. R. CIV. P. 1(a)(1)(A)(i). Federal Rule of Civil Procedure 55(a), entitled "Entering a Default," provides that "[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk *must* enter the party's default." FED. R. CIV. P. 1(a)(1)(A)(i) (emphasis added).

Here, the Plaintiff filed his Amended Complaint on August 2, 2024. (See ECF No. 6.) Defendants DOT Compliance Services, LLC and Christian Perales were served with the Summons and Complaint on August 16, 2024. (See ECF Nos. 8, 9.) Accordingly, Defendant's responsive pleading was due on September 7, 2024. Defendant did not file a response as of September 17, 2024. Accordingly, the Plaintiff requests that the Clerk enter the Defendant's default pursuant to FED. R. CIV. P. 55(a).

CONCLUSION

WHEREFORE, for the reasons set forth herein, the Plaintiff respectfully requests that the Clerk of Court enter default against the Defendants pursuant to FED. R. CIV. P. 55(a).

RESPECTFULLY SUBMITTED AND DATED this September 17, 2024.

/s/ Andrew Roman Perrong
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CERTIFICATE OF SERVICE

I certify that I filed the foregoing via ECF on the below date.

I further certify that I mailed a copy of the foregoing to:

DOT COMPLIANCE SERVICES, LLC
AND CHRISTIAN PERALES
3232 TRUXILLO DR.
DALLAS, TX 75228

Tracking Number: 0031090333148000100875228233832

Dated: September 17, 2024

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